

REMARKS

Introduction

Claims 1 – 9 were originally pending in the present application. Claim 1 has been amended to include the limitations previously set forth in dependent claim 6. Claim 6 has been cancelled. Claim 8 was previously canceled. Claims 2-6 and 9 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. With the Examiner's comments in mind, Claims 10-20 have been added. No new matter has been added. Accordingly, claims 1 – 5, 7, 9 and 10 – 20 are presently pending for consideration in this application.

Specification

The Abstract of the disclosure submitted by way of the Amendment dated November 4, 2005 was objected to because it did not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). Accordingly, a substitute Abstract, as amended on November 4, 2005 has been provided on a separate page in response to the Examiner's request.

Drawings

The drawings were objected to because reference numeral 100 was erroneously used to designate both the insert and the pedestal in Figure 1. A replacement Figure 1 is submitted herewith wherein the insert and the pedestal have been properly indicated with reference numerals 108 and 100, respectively, as described in paragraphs [0044] [0038], respectively, of the specification.

Attorney for applicants apologizes for these errors.

Claim Rejections

35 U.S.C. § 102(b)

Claims 1 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Gioustos '757 patent. A claim is said to be anticipated where each and every limitation of the claim can be found in a single reference. Independent claim 1 has amended to include additional limitations previously set forth in dependent claim 6. In view of the amendments as explained in greater detail below, applicants respectfully submit that each and every limitation of independent claim 1 cannot be found in the reference of record in this case. Claims 2 – 5, 7 and 9 are all ultimately dependent on this independent claim and add further perfecting limitations. Accordingly, this rejection is respectfully traversed.

Argument

Applicants respectfully submit that the vehicle seat assembly defined in independent claim 1 is not anticipated by the Gioutsos '757 patent. More specifically, the Gioutsos '757 patent does not disclose or suggest a plurality of sensor assemblies positioned adjacent the lower seat cushion and reinforcing insert in the manner disclosed by independent claim 1. However, with the Examiner's comments in mind, applicants have amended independent claim 1 to include the limitations previously set forth in dependent claim 6. For these reasons, applicants respectfully submit that the rejection under §102 should be withdrawn.

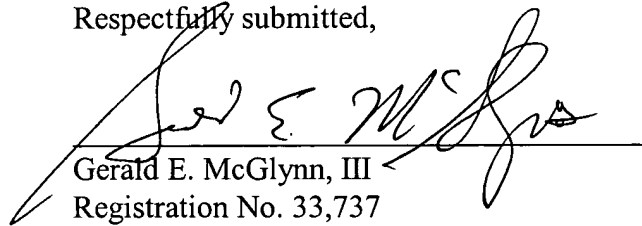
Furthermore, in view of the Examiner's comments regarding dependent claims 3 and 9, Applicant submits newly added independent claims 10 and 17 which include the limitations of dependent claims 3 and 9, respectively.

In view of the above, it is respectfully submitted that independent claims 1, 10 and 17 recite structure that is not disclosed or suggested by the prior art and the patentably distinguishable from the subject matter of the reference discussed above. Claims 2 – 7, 9, 11 – 16 and 18 – 20 are all ultimately dependent upon independent claims 1, 10 and 17 and add further perfecting limitations. As such, the prior art reference does not suggest the subject invention.

Conclusion

In view of the above, applicants respectfully submit that the claims clearly distinguish over the prior art and are therefore allowable. Accordingly, applicants respectfully solicit the allowance of the claims pending in the present application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald E. McGlynn, III", is written over a horizontal line.

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